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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

J. J. RICHARDSON et al.

Serial No. 09/432,498

Art Unit: 2643

Filed: November 2, 1999

Examiner: M. Ramakarishnaiah

For: SENSING DEVICE FOR MONITORING CONDITIONS AT A REMOTE  
LOCATION AND METHOD THEREFOR

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FEB 13 2003

OFFICE OF PETITIONS

**PETITION UNDER 37 CFR 1.313(c)(1)**  
**TO WITHDRAW THE APPLICATION FROM ISSUE**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. Applicants petition that the Application be withdrawn from Issue.
2. The Reason for Withdrawal is that claims 2-62, 64-71 and 79-80 are not patentably in this application. A further explanation of the facts of this situation follows below.
3. An amendment canceling claims 2-62, 64-71 and 79-80 is being filed concurrently with this petition.
4. The Base Issue Fee was paid on January 6, 2003.
5. Petition Fee (37 CFR 1.17(h)):  
Please charge our Deposit Account No. 07-2100 for the fee of \$130.00.

**FACTS OF THIS SITUATION:**

As filed, this application included Figures 1-5, 6A, 6B, 6C, and 7. As part of his first Office action the examiner included an objection to the drawings that several of the claims were not supported by these original drawings.

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As part of the response to the examiner's first Office action, two letters were submitted to the Draftsman. The first of these letters to the Draftsman was amendatory to the figures which were already present. The changes to these drawings added no new matter.

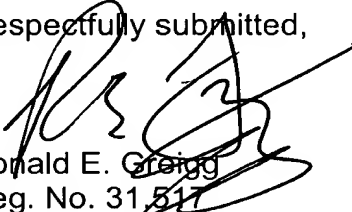
The second letter to the Draftsman added new figures 3A-1, 3A-2, 3B-1, 3B-2 and 3B-3. These added figures are in the form of circuit diagrams. The issue of new matter has never been raised, and eventually the application proceeded to issue with these figures included in the application.

Upon review it has been determined that each of figures 3A-1, 3A-2, 3B-1, 3B-2 and 3B-3 includes new matter, and that claims 2-62, 64-71 and 79-80 include recitations which depend upon these figures for support.

Accordingly, these claims are being canceled from this application by an amendment filed concurrently herewith.

A duplicate of this petition is attached.

Respectfully submitted,

  
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Date: February 13, 2003

REG/SLS